

City of Charlotte

*Charlotte-Mecklenburg Government Center
600 East 4th Street
Charlotte, NC 28202*



Meeting Agenda

Monday, September 25, 2017

Council Chambers

City Council Business Meeting

*Mayor Jennifer W. Roberts
Mayor Pro Tem Vi Lyles
Council Member Dimple Ajmera
Council Member Ed Driggs
Council Member Julie Eiselt
Council Member Claire Fallon
Council Member Carlenia Ivory
Council Member Patsy Kinsey
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Greg Phipps
Council Member Kenny Smith*

5:00 P.M. DINNER BRIEFING, CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, ROOM 267

1. Closed Session

2. Agenda Overview

Staff Resource(s):

Marcus Jones, City Manager

3. Mayor and Council Consent Item Questions

Staff Resource(s):

Debra Campbell, City Manager's Office

Time: 5 minutes

Synopsis

Mayor and Council may ask questions about Consent agenda items. Staff will address questions at the end of the dinner meeting.

4. 2017 Fall Federal Legislative Update

Staff Resource(s):

Randy Harrington, Management and Financial Services

Dana Fenton, City Manager's Office

Rich Gold, Holland & Knight

Time: 20 minutes

Explanation

- The City's federal lobbying team from Holland & Knight will brief Mayor and City Council on the status of the City's 2017-2018 Federal Legislative Agenda that includes the following:
 - Airport Control Tower,
 - 2030 Transit Plan,
 - North End Smart District,
 - Doppler Weather Radar, and
 - Municipal Bonds.
- Holland & Knight will also address other issues that remain for the US Congress to consider in 2017.

Future Action

The presentation is for informational purposes only.

[Federal Legislative Update](#)

5. Tree Canopy Update

Committee Chair:

Patsy Kinsey, Environment

Staff Resource(s):

Mike Davis, Engineering and Property Management
Erin Oliverio, Engineering and Property Management
Chuck Cole, TreesCharlotte

Time: 20 minutes

Explanation

- City and TreesCharlotte staff will provide a briefing on the following topics as they pertain to the Urban Forest Master Plan (UFMP).
 - Current planting and maintenance efforts;
 - UFMP recommended tasks currently underway;
 - UFMP recommended tasks planned for the next year, and
 - TreesCharlotte FY 2017 successes and plans for FY 2018.

Future Action

The City Council will be asked to consider adoption of the completed UFMP during City Council's regular business meeting on September 25, 2017.

[Final UFMP Presentation v.2](#)

[UFMP FNL WEB](#)

6. Airport Capital Development Status Update

Staff Resource(s):

Brent Cagle, Aviation
Jack Christine, Aviation
Haley Gentry, Aviation
Michael Hill, Aviation

Time: 20 minutes

Explanation

- The Aviation Department Executive Team will provide City Council with a briefing on the Capital Development Program implementation with a focus on the Terminal Modernization Program.
- The briefing will include information on the following:
 - Updates on implementation of customer amenities, and
 - Design and construction projects in and around the Terminal.

Future Action

The presentation is for information only.

[Airport Capital Development Status Update 9.25.2017](#)

7. Answers to Mayor and Council Consent Item Questions

Staff Resource(s):

Debra Campbell, City Manager's Office

Time: 10 minutes

Synopsis

Staff responses to questions from the beginning of the dinner meeting.

**6:30 P.M. PUBLIC FORUM, CHARLOTTE-MECKLENBURG
GOVERNMENT CENTER, CHAMBER**

8. Public Forum

**7:00 P.M. BUSINESS MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
CHAMBER**

Call to Order

Roll Call

Introductions

Invocation

Pledge of Allegiance

9. Consent agenda items 27 through 48 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Consideration of Consent Items shall occur in the following order:

- A. Items that have not been pulled, and
- B. Items with citizens signed up to speak to the item.

ZONING

10. Rezoning Petition 2017-070

Action:

Render a decision on petition 2017-070 by Saussy Burbank, LLC

- From R-4 (single family residential)
- To UR-2(CD) urban residential, conditional)

Staff Resource(s):

Ed McKinney, Planning

Laura Harmon, Planning

Explanation

- The public hearing on this rezoning petition was held on September 18, 2017.
- The City Council expedited the decision on this petition on July 17, 2017 from October 16 to September 25, as requested by the petitioner.
- The property is approximately 2.22 acres located on west side of Park Road between Wyndcroft Place and Hillside Drive. (Council District 1 - Kinsey)
- The petition proposes to allow the redevelopment of an existing single family home site with up to 19 single family attached dwelling units at 8.6 dwelling units per acre near the Ashbrook Neighborhood.
- The Zoning Committee found the petition to be consistent with the Park Woodlawn Area Plan recommendation, based on information from the staff analysis and the public hearing.
- The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.
- Staff agrees with the recommendation of the Zoning Committee.

Attachment(s)

Zoning Committee Statement of Consistency

Zoning Committee Recommendation

Staff Analysis

Vicinity Map

Locator Map

Site Plan

[2017-70 Statement of Consistency.pdf](#)

[2017-070 Reco 09-18-2017 ver 2.pdf](#)

[2017-070 staff 09-18-2017LH km8-30 SAF 09-07-2017 09-08-2017SA FINAL.pdf](#)

[2017-070 vicinity map](#)

[2017-070 rezoning map](#)

[2017-70 REvised Site Plan 9.19.17.pdf](#)

PUBLIC HEARING

11. NN, Inc. Business Investment Grant

Action:

- A. Conduct a public hearing regarding approval of a Business Investment Grant to NN, Inc. and**
- B. Approve the City's share of a Business Investment Grant to NN, Inc. for a total estimated amount of \$106,571 over five years.**

Staff Resource(s):

Patrick Mumford, Economic Development

Kevin Dick, Economic Development

Explanation

- On September 12, 2017, NN, Inc. (NN) announced its selection of Charlotte for a capital investment of \$10.5 million to relocate and establish a corporate headquarters in Charlotte.
- Staff is requesting City Council approve a Business Investment Grant estimated up to \$106,571 over five years. Mecklenburg County's share is estimated at \$181,595.
 - On July 24, 2017, the City Council, in Closed Session, indicated its intent to approve a Business Investment Grant to NN.
 - On August 2, 2017, the Mecklenburg County Board of Commissioners, in Closed Session, indicated its intent to approve a Business Investment Grant to NN and will hold a public hearing on October 3, 2017.
 - The total City/County combined grant is estimated to be \$288,166 over five years.
 - The State of North Carolina also approved a Job Development Investment Grant in the amount of \$3,688,000 and up to \$360,000 in community college training funds.
- In addition to the \$10.5 million capital investment, NN committed to:
 - 200 jobs, with 175 to be hired locally, over five years (\$130,000 average wage)
- Additional benefits also include:
 - Workforce development partnerships and relationship with company can be utilized to connect talent to available positions
 - The project's alignment with:
 - City Values and Winning Cities Characteristics
 - Letter to the Community (Good Paying Jobs)
 - Equitable Economic Development and Economic Opportunity
 - Diversity of jobs on proposed project
 - Job retention through corporate expansion
 - Growth industry with significant job and contracting opportunities

Background

- Headquartered in Johnson City, Tennessee, NN was founded in 1980 and is publicly traded on NASDAQ. The company is a leading manufacturer of high precision metal and plastic components for medical, aerospace, automotive and industrial end markets. The company operates 40 manufacturing plants in North America and globally.
 - The company plans to consolidate corporate operations into a new headquarters by relocating leadership and organizing three business segments into one centralized location.
 - NN is proposing to lease 50,000 square feet of office space at the new Waverly multi-use development located south of I-485 at the intersection of Providence Road and Ardrey Kell Road. The location is outside of the City's Business Investment Zone and the County's Opportunity Area.

Business Investment Grant

- Request meets the City Council approved criteria for a five-year, 50 percent headquarters grant.
- The general terms and conditions of this grant include:
 - The company will be asked to coordinate job fairs and recruitment events for both temporary

and permanent jobs with the City and County. Community organizations and residents will receive ample notice of these employment activities in addition to training opportunities with City job training and placement partnerships.

- Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
- Property taxes due from NN must be paid before a grant payment is made.
- If NN removes the investment from Charlotte during the grant term, it shall pay back 100 percent of the investment grant paid to date.
- If NN moves the investment from Charlotte within five years of the end of the Business Investment Program (BIP) grant term, a portion of the grant must be repaid as follows:
 - Within One Year of the end of the BIP Term - 90 percent of grant payments
 - Within Two Years of the end of the BIP Term - 75 percent of grant payments
 - Within Three Years of the end of the BIP Term - 60 percent of grant payments
 - Within Four Years of the end of the BIP Term - 45 percent of grant payments
 - Within Five Years of the end of the BIP Term - 30 percent of grant payments

Fiscal Note

Funding: Business Investment Grant

POLICY**12. City Manager's Report**

13. Emergency Solutions Grant Funding Recommendations

Action:

Approve the Housing and Neighborhood Development Committee's recommendation of Emergency Solutions Grant Fund allocations totaling \$690,768 to the following agencies:

- **Supportive Housing Communities, \$118,594**
- **Salvation Army, \$309,012**
- **Men's Shelter of Charlotte, \$263,162**

Committee Chair:

LaWana Mayfield, Housing and Neighborhood Development

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services
Warren Wooten, Housing and Neighborhood Services

Explanation

- The approval of the Emergency Solutions Grant (ESG) Fund allocations for temporary shelter to support the City's efforts to end and prevent homelessness.
- On any given night, more than 700 individuals are sleeping in men's and women's homeless shelters.
- On May 8, 2017, City Council adopted the U.S. Department of Housing and Urban Development's (HUD) Annual Action Plan (Plan). The Plan:
 - Identifies the need for affordable, safe, and decent housing and shelter for low-income and moderate-income families,
 - Governs the use of funding for federal housing programs and identifies City housing goals, and
 - Outlines a goal of supporting facilities and programs for the homeless with the ESG funds.
- The ESG program contains five components: Street Outreach, Emergency Shelter, Homeless Prevention, Rapid Re-Housing, and the Homeless Management Information System.
- ESG funds are allocated annually by HUD and must be used to:
 - Engage homeless individuals and families living on the streets,
 - Improve the quality and operation of emergency shelters,
 - Provide essential services to shelter residents,
 - Rapidly re-house homeless individuals and families, and
 - Prevent families and individuals from becoming homeless.

Housing and Neighborhood Development Committee Discussion

- On August 23 2017, Housing and Neighborhood Services presented the proposed recommendations to the Housing and Neighborhood Development Committee. The Committee voted unanimously to approve the ESG fund allocations. (Mayfield, Driggs, Ivory and Kinsey voted yes. Ajmera was absent.)

Fiscal Note

Funding: HUD Funds

Attachment(s)

Housing and Neighborhood Development Committee August 23 Committee Presentation

[ESG Funding Rec H&ND 8-23-17 Cmte Pres 9-25-17](#)

14. FY 2018 Housing Funding Support Requests

Action:

- A. **Approve a waiver of the Housing Locational Policy for two multi-family housing developments:**
- **Vibrant Ashley Park Apartments located at the block of 2200 Ashley Road**
 - **Movement on Freedom located at 2615 Freedom Drive**
- B. **Approve the Housing and Neighborhood Development Committee's recommendation of Housing Trust Fund allocations for the following multi-family developments for a total of \$20,810,000 to:**
- **Grier Heights Seniors, \$3,450,000**
 - **Movement on Freedom, \$4,500,000**
 - **Old Concord at the Blue Line, \$5,100,000**
 - **Vibrant Ashley Park, \$2,160,000**
 - **West Tyvola, \$5,600,000**

Committee Chair:

LaWana Mayfield, Housing and Neighborhood Development

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Zelleka Biermann, Housing and Neighborhood Services

Explanation

- On October 3, 2016, City Council issued a Community Letter stating a goal of creating 5,000 affordable and workforce housing units within three years. City Council has accomplished 44 percent of this goal. Approval of this funding accelerates and supports the Council's commitment to expand the supply of affordable and workforce housing goals with the addition of 769 units.
- The awarding of Housing Trust Fund (HTF) allocations demonstrates local alignment with state supported developments and allows for the leveraging of local dollars with state and federal dollars in order to receive tax credit awards.
- On May 8, 2017, City Council adopted the U.S. Department of Housing and Urban Development's Annual Action Plan (Plan). The Plan:
 - Identifies the need for affordable, safe, and decent housing for low and moderate-income families
 - Reaffirms three basic goals of the City's Housing Policy:
 - Preserve the existing housing stock,
 - Expand the supply of affordable housing, and
 - Support family self-sufficiency initiatives.

City Council Discussion

- Housing & Neighborhood Services (HNS) staff presented a briefing of the FY 2018 Housing Funding Support Requests recommendations to City Council on August 28, 2017.

Action A: Waiver of the Housing Locational Policy

- The Housing Locational Policy was established in the early 1990s to deconcentrate extremely low-income housing. The latest revision to the policy was approved in 2011. Since that time the City's neighborhoods have grown and changed, resulting in the need for an increased supply of

affordable housing in areas that currently require a waiver.

Action B: Approval of HTF Allocations

- On November 26, 2001, City Council established the HTF to provide financing for affordable housing in the Charlotte community.
- To accelerate production of affordable and workforce housing units, HNS staff issued a second round of Requests for Proposal (RFP) in July 2017.
- As a result of this RFP, five requests were received. These developments would put the City at 60 percent toward its goal of 5,000 units.
- All of the developments meet the submission requirements and are recommended for funding based on zoning and planning guidelines. However, two of the developments require approval of a waiver of the Housing Locational Policy.

Committee Discussion

- On August 23, 2017, the proposed FY 2018 Housing Funding Support Requests were presented to the Housing and Neighborhood Development Committee. The Committee voted unanimously to approve allocations for all five developments and the proposed waiver requests (Mayfield, Driggs, Ivory and Kinsey voted yes; Ajmera was absent.).

Charlotte Business INClusion

- All HTF funded projects and their developers are subject to Minority, Women and Small Business Enterprise goals determined by the amount of award being financed.

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

August 28 Dinner Briefing to the City Council

[FY18 Housing Funding Support Regs 9-25-17](#)

15. Urban Forest Master Plan

Action:

Approve the Environment Committee recommendation to adopt the Urban Forest Master Plan.

Committee Chair:

Patsy Kinsey, Environment Committee

Staff Resource(s):

Mike Davis, Engineering and Property Management
Erin Oliverio, Engineering and Property Management
Tim Porter, Engineering and Property Management

Current Policy

- On June 27, 2011, City Council adopted a "50 percent by 2050" policy to increase tree coverage across the city.
- City Council's Environment Focus Area Plan includes the objective to maintain and protect the City's urban forest.

Proposed Plan

- In 2016, the City of Charlotte and TreesCharlotte worked to identify the greatest challenges facing Charlotte's urban forest and how to reach the City's 50 percent tree canopy goal.
- On April 11, 2016 City Council received a dinner briefing presentation on the Urban Forest Master Plan (UFMP) expected timeline, contracting with a consultant, and details on involving citizens in the planning process.
- The UFMP development involved more than 40 organizations, nearly 3,000 citizens, urban forestry expertise, and national perspective provided by Davey Resource Group.
- The UFMP will serve as guidance for the engagement and action of community leaders, government, residents, and organizations in growing and sustaining our urban forest.
- City staff will follow the UFMP's 10-year achievement timeline with tasks prioritized to work with the community towards the 50 percent tree canopy goal.
- With more than 80 percent of Charlotte's canopy on private property, staff is working closely with residents and stakeholders to form a community canopy team, have a canopy coverage assessment completed, and increase community engagement.
- The UFMP and community involvement will inform policy and budget discussions for 2019 and beyond.

Committee Discussion

- Environment Committee received presentations on the UFMP on March 14 and December 5, 2016, and April 3, 2017.
- On June 5, 2017, the Environment Committee voted unanimously (Kinsey, Ajmera, Fallon, Austin; Mitchell was not present) to recommend the adoption of the UFMP.

Attachment(s)

Urban Forest Master Plan Executive Summary

[UFMP Executive Summary](#)

16. CAMP North End Infrastructure Reimbursement

Action:

Authorize the City Manager to negotiate and execute an Infrastructure Reimbursement Agreement in an amount not to exceed \$15 million for public infrastructure improvements, consistent with the terms set forth below, which will be reimbursed through the 2016 Community Investment Plan.

Committee Chair:

James Mitchell, Economic Development

Staff Resource(s):

Patrick Mumford, Economic Development

Todd DeLong, Economic Development

Mike Davis, Engineering and Property Management

Jim Keenan, Engineering and Property Management

Explanation

- Identified in the Center City 2020 Vision Plan and targeted for economic growth, the Applied Innovation Corridor (AIC) begins in South End, extending through Uptown and North End and ultimately linking to UNC Charlotte's main campus.
- The AIC is an area identified within the Community Investment Plan (CIP) to fulfill the emphasis on investing in corridors and promoting job growth through infrastructure investment.
- Total funding of \$28.9 million for the AIC was included in the \$816.4 million CIP approved by City Council on June 10, 2013.
 - \$12.5 million and \$2.7 million of the total \$28.9 million were approved by voters as part of the November 2014 and November 2016 Bond Referendums.
 - The remaining \$13.7 million in project funding is scheduled for the 2018 Bond Referendum.
- ATCO purchased the approximate 75-acre site now known as CAMP North End, which is located in the AIC and includes 1.2 million square-feet of vacant industrial buildings.
- On September 18, 2017, City Council approved the rezoning of the site, which could include up to 760,000 square-feet of office space, 65,000 square-feet of retail space and 600 residential units over the next 10 years. Of the 600 residential units, 42 will be reserved for households earning less than 80 percent of the area median income.
- The total estimated private investment over the next 10 years equals approximately \$350 million, generating approximately \$1.7 million in annual City property tax revenue.

Infrastructure Reimbursement Agreement

- ATCO has requested the City partner with them on a series of public infrastructure improvements.
- These improvements focus on key road corridors at the perimeter of the redevelopment site and will provide greater connectivity and accessibility for the site and surrounding neighborhoods. More specifically, the public improvements to be reimbursed under the terms of the agreement include:
 - Streetscape improvements to Graham Street, Statesville Avenue and Woodward Avenue
 - Extension of Sylvania Avenue to establish an east-west connection between Statesville Avenue and Graham Street
- Under the terms of the agreement, the developer would build the public improvements and be reimbursed upon completion of specific milestones through the CIP. The reimbursement to the developer will be funded through the 2016 CIP and would not exceed \$15 million.
- The developer has agreed to work with the City to incorporate a Minority, Women and Small Business Enterprise (MWSBE) Plan approved by the City's Business INCLUSION Program, to include:
 - A minimum of 10 percent MWSBE utilization for all public infrastructure improvements under the reimbursement agreement

- Working with contractors to attain similar levels of MWSBE participation for private infrastructure improvements, subject to availability
- The developer will work with the City to develop a Workforce Development Plan to broaden economic opportunities for residents.
 - The developer will require general contractors performing infrastructure work to participate in Project P.I.E.C.E (Partnership for Inclusive Employment and Career Excellence) hiring, subject to availability, and continue on-going dialogue with nearby business and resident leaders to stimulate opportunities to expand economic mobility. This would include but not be limited to participation in the program's outreach sessions in the adjacent communities.
- This public-private partnership opportunity was presented to the Economic Development Committee on June 7, 2017 and August 17, 2017.
- The CAMP North End redevelopment and proposed public-private partnership was presented during the City Council Dinner Briefing on September 11, 2017.

Council Committee Discussion

- On August 17, 2017, the Economic Development Committee voted (Mitchell, Ivory, Mayfield and Ajmera voted yes; Eiselt was absent) to recommend to the City Council approval of the Infrastructure Reimbursement Agreement in an amount not to exceed \$15 million for public infrastructure improvements.

Charlotte Business INClusion

Prior to the City Manager executing the Infrastructure Reimbursement Agreement, the CBI office will negotiate subcontracting goals on all work tied to this agreement (Part G, Section 2.7 of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

September 11 City Council Dinner Briefing Presentation

[Dinner Briefing_9-11-17_Camp North End_Draft 2.0](#)

17. River District Infrastructure Reimbursement

Action:

Approve the Economic Development Committee recommendation to:

- A. **Authorize the City Manager to negotiate and execute an Infrastructure Reimbursement Agreement in an amount not to exceed \$15 million for public infrastructure improvements, consistent with the terms set forth below, which will be reimbursed through 45 percent of incremental City property taxes from a designated area over 10 years, or until fully reimbursed, whichever occurs first, and**
- B. **Authorize the City Manager to negotiate and execute an Infrastructure Reimbursement Agreement in an amount not to exceed \$16.2 million for public infrastructure improvements, consistent with the terms set forth below, which will be reimbursed through the 2016 Community Investment Plan, and**
- C. **Authorize the City Manager to negotiate an Agreement for Water Line construction in an amount not to exceed \$1 million, which will be reimbursed through the Charlotte Water Community Investment Plan.**

Committee Chair:

James Mitchell, Economic Development

Staff Resource(s):

Patrick Mumford, Economic Development
Mike Davis, Engineering and Property Management
Barry Gullet, Charlotte Water

Explanation

- The 1,380-acre River District development represents attainment of the City's planning efforts as outlined in the Dixie-Berryhill Plan, the Community Investment Plan (CIP) and Charlotte Douglas International Airport's planning initiative to increase economic development and placemaking opportunities.
- River District rezoning, approved by City Council in November 2016, provides for development of a unique master planned community for office, retail, hotel, and a variety of residential uses, with strong pedestrian and environmental commitments.
- Phase One of the proposed development could include up to one million square-feet of office, 75,000 square-feet of retail, 150 hotel rooms, and 815 residential units (of which 85 would be available to households earning less than 80 percent of the area median income).
- Crescent Communities and Lincoln Harris (developer) have requested the City partner with them on a series of public infrastructure improvements.
- The partnership as defined in the term sheet will achieve the following goals:
 - facilitate economic development and implement the land use recommendations from the Dixie-Berryhill Strategic Plan
 - create infrastructure to support development and leverage existing investment, and
 - catalyze and partner with private development willing to voluntarily annex land into the city

Infrastructure Reimbursement Agreement - Tax Increment Grant

- The developer has requested reimbursement of \$15 million for public infrastructure improvements.
- Per Council policy, the development qualifies for a 10-year, 45 percent tax increment grant (TIG).
- The public improvements to be reimbursed under the terms of the Agreement include:
 - Widening of existing Dixie River Road and Garrison Road and incorporation of streetscape improvements to allow for enhanced mobility for pedestrians and bicyclists.
 - Extension of West Boulevard west of Dixie River Road and provision of enhancements for pedestrian and bicycle connection.

- Under the terms of the agreement, the developer would build the public improvements and will be reimbursed through 45 percent of the incremental City property taxes from a designated area over 10 years.
- Other terms of the agreement include:
 - \$15 million in reimbursed infrastructure cost with an interest cost of carry equivalent to the City's cost of funds.
 - The development team must request the first grant payment within four years after the completion of the public infrastructure improvements.
 - The TIG term ends at 10 years, or when the grant payments equal a present value equal to \$15 million, whichever occurs first.
 - Voluntary annexation is required prior to reimbursement.
 - The development team has engaged general contractors and technical assistance to strengthen Minority, Women, and Small Business Enterprise (MWSBE) utilization for public and private infrastructure improvements.
 - The developer has agreed to work with the City to incorporate an MWSBE Plan approved by the City's Business INclusion Program, to include:
 - A minimum of 10 percent MWSBE utilization for all public infrastructure improvements under the reimbursement agreement.
 - The development team will work with the City to create an MWSBE Action Plan to establish utilization goals for private infrastructure improvements, once the scope of private improvements has been determined and corresponding availability of contractors has been established.
 - The development team will work with the City to develop a Workforce Development Plan to broaden economic opportunities for all, which will include participation in Project P.I.E.C.E. (Partnership for Inclusive Employment and Career Excellence).

Infrastructure Reimbursement Agreement - Community Investment Plan

- Total funding of \$44.7 million for the Airport/West Corridor area was included in the \$816.4 million CIP approved by City Council on June 10, 2013.
- \$16.2 million of the \$44.7 million was approved by voters as part of the November 2016 Bond Referendum. Remaining project funding is scheduled for the 2018 Bond Referendum (\$28.5 million).
- In order to expedite and provide for efficient construction of the West Boulevard Extension improvements, the developer will be responsible for ensuring the agreed upon public improvements are complete to City standards. In return, the City will reimburse the developer for these public improvements in an amount not to exceed \$16.2 million.
- Voluntary annexation is required prior to reimbursement.
- Under the terms of the agreement the developer would build the public improvements and will be reimbursed upon completion of specific milestones through the CIP.
- The developer has agreed to work with the City to incorporate an MWSBE Plan approved by the City's Business INclusion Program.
- The developer will continue working with the City and the community on objectives to create opportunities for greater inclusion of MWSBE certified companies and workforce development initiatives.
- The total estimated private investment related to Phase One improvements equals approximately \$422 million.
- At build-out of Phase One, the redevelopment could generate more than \$2 million in annual City property tax revenue.
- This public private partnership opportunity was presented to the Economic Development Committee on June 7, 2017 and August 17, 2017.
- The River District development and proposed public private partnership was presented during the City Council Dinner Briefing on September 11, 2017.
- Action Item C is being added to address additional infrastructure as discussed at the Dinner Briefing on September 11, 2017. The Water Line construction is a part of the necessary public infrastructure which will be incorporated in the overall West Boulevard Extension project to leverage

cost efficiencies related to construction activities.

Council Committee Discussion

- On August 17, 2017, the Economic Development Committee voted (Mitchell, Ivory, Mayfield, and Ajmera voted yes. Eiselt was absent) to recommend to the City Council approval of the two Infrastructure Reimbursement Agreements in amounts not to exceed \$16.2 million to be reimbursed through the General CIP and not to exceed \$15 million to be reimbursed through 45 percent of the incremental property taxes in a designated area over 10 years.

Charlotte Business INClusion

Prior to the City Manager executing the Infrastructure Reimbursement Agreement, the CBI office will negotiate subcontracting goals on all work tied to this agreement (Part G, Section 2.7 of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: General Community Investment Plan and Tax Increment Grant
Charlotte Water Community Investment Plan

Attachment(s)

September 11 City Council Dinner Briefing Presentation

[Dinner Briefing 9-11-17 River DistrictDraft 2.0](#)

BUSINESS

18. Charlotte Convention Center Phase I Improvement Project

Action:

- A. **Approve an interlocal agreement to reimburse the Charlotte Regional Visitors Authority for an amount up to \$8.5 million for Convention Center design/development phase costs, and**
- B. **Approve an allocation of \$110 million of Convention Center Tax Fund debt capacity for the Charlotte Convention Center Expansion project.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Randy Harrington, Management and Financial Services
William Haas, Engineering and Property Management
Tom Murray, Charlotte Regional Visitors Authority

Explanation

- On September 16, 2016, The Charlotte Regional Visitors Authority (CRVA) briefed City Council on need to plan for improvements to the Charlotte Convention Center.
- Objectives of the improvements to the 22-year-old Convention Center include:
 - Enhance the meeting experience,
 - Increase breakout space,
 - Create new pedestrian-friendly connections between the Convention Center and Center City,
 - Upgrade technology, and
 - Support continued Convention Center improvements.
- On December 14, 2016, representatives from the City and CRVA selected TVS North Carolina, P.C. using the Council-approved selection process to develop schematic designs for the proposed improvements to the Convention Center.
- On January 9, 2017, City Council approved \$1,600,000 to develop a schematic design of the Convention Center Improvements.
- The estimate for Phase I of the total project cost of improvements to the Convention Center is \$110 million. These estimates will be further refined as the design progresses.
- On March 24, 2017, the City issued a Request for Qualifications for construction management at risk services. Five proposals were submitted from interested service providers.
- On May 25, 2017, representatives from the City and CRVA selected Holder-Edison Foard-Leeper using the Council-approved selection process to perform cost estimating, develop procurement and construction schedules, and review the plans.
- Council received a presentation on this project at the September 11, 2017 dinner briefing meeting.
- This action will allow the CRVA to contract with multiple firms including TVS North Carolina, P.C. for the design development phase, Holder-Edison Foard-Leeper for pre-construction services, a geotechnical consultant, and a commissioning firm.
- As part of this action, staff will assign \$110 million of Convention Center tax fund debt capacity to this project, with an anticipated issuance during FY 2019.
- The City intends to issue up to \$110 million in Certificates of Participation (COPS) in FY 2019, and to reimburse the CRVA for up to \$8.5 million in development and design costs from the proceeds of the COPS or from Convention Center fund balance. The COPS will be repaid from the Convention Center Tax Fund, which is supported by Hospitality Tax revenues, including one percent Prepared Food Tax and three percent (of eight percent) Occupancy Tax. Eligible uses of these funds include Convention Center capital, operating and promotions as well as amateur sports and Bank of America stadium capital investments.
- The revised Convention Center Tax Fund capacity is approximately \$123 million.
- Final design and construction administration, construction, and materials testing contracts related to improvements will come to the City Council for consideration beginning in summer 2018.
- In a typical year, Convention Center events include 227,078 visitors, 159,970 hotel room nights, and provide an estimated impact to the local economy of \$135.7 million.

Charlotte Business INclusion

TVS Design has committed 25% of the total contract amount to the following MWSBEs:

- Neighboring Concepts (MBE) (architectural support)
- Wescott Structures (SBE, WBE) (structural engineering)
- Hartanft Lighting (SBE) (architectural lighting design)
- McCracken & Lopez (SBE) (mechanical, electrical, plumbing)
- Superior Mechanical Systems (MBE) (mechanical)
- Richa Graphics (SBE, MBE) (reprographics)

Holder-Edison has committed 17.6% of the total contract amount to the following MSBEs:

- RJ Leeper Construction (MBE/SBE) (preconstruction services)
- TRS&I Group, Inc. (MBE) (small business outreach)

The City will work with the CRVA to monitor compliance with the committed goals. Prior to City Council awarding the construction contract in the fall of 2018, the CBI Office will establish MWSBE subcontracting goals.

Fiscal Note

Funding: Convention Center Tax Fund

Attachment(s)

Interlocal Agreement

Dinner Presentation September 2017

Engineering & Property Management

[CHLT-#124672-v1-\(CRVA Inserts\) Convention Center Renovations Interlocal Agreement 09-13-1](#)

[CLT Conv Ctr Phase I Improve Project 9-11-17DB 9-25-17](#)

19. North Tryon Street Business Corridor Project

Action:

- A. Award a contract in the amount of \$9,667,225.78 to the lowest responsive bidder Sealand Contractors Corp. for the construction of the North Tryon Street Business Corridor project, and**
- B. Adopt a budget ordinance appropriating \$4,300,000 from existing appropriations in the General Community Investment Plan.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tom Russell, Engineering and Property Management

Explanation

- The North Tryon Street Business Corridor Project was initially funded in the 2010 transportation bond referendum, in amount of \$9.5 million. Planning for the project began in 2011 to develop the original project concept that envisioned improvements along the existing North Tryon corridor between Dalton Avenue and 30th Street.
- After the design study was completed and significant engagement with property and business owners, it was determined that the preferred concept was a "one-way pair" option. This option would construct new inbound lanes on Church Street (approximately 0.75 additional mile of roadway improvements), allowing the project to better utilize existing right-of-way, reduce right-of-way costs, reduce impacts to businesses, and additional frontage area for revitalization.
- In 2014, as project design neared completion, the cost estimate was revised, and the project budget was increased by \$3.5 million to a revised total project cost of \$13 million.
- In 2016, as real estate acquisition neared completion, it was determined that the real estate costs greatly exceeded the estimates initially established in 2014. An additional \$3 million was recently appropriated in the FY 2018 budget to account for the increase in real estate costs, in addition to construction and utility cost adjustments. This increased the project budget to \$16 million.

Action A

- The North Tryon Street Business Corridor Project will rebuild Tryon Street to include the one-way pair component and many included improvements, such as crosswalks, sidewalks, planting strips, decorative lighting, bike lanes, and street trees from Dalton Avenue to 30th Street (approximately 0.9 of a mile in length).
- The project will follow the Greenroads certification process, similar to LEED for buildings, which quantifies roadway sustainability and awards points for sustainable practices.
- On March 31, 2017, the City issued an Invitation to Bid; four bids were received from interested service providers.
- Sealand Contractors Corp. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2020.

Action B

- The \$4.3 million in additional funding will be appropriated to the North Tryon Street Business Corridor Project and it will provide funding for:
 - Higher than anticipated construction cost (\$2.64 million)
 - Increases in project costs: staff cost, construction administration, survey, testing, inspection, landscaping, lighting and signals (\$910,000)
 - Anticipated cost increases to complete real estate acquisition and utility relocation (\$750,000)
- The additional funding will come from the Northeast Corridor Infrastructure program (NECI) within the City's General Community Investment Plan and will be repaid after the November 2018 bond referendum. No projects within NECI will be delayed as a result of this action.
- Upon City Council approval, this additional appropriation will result in a total project budget of \$20.3

million.

Charlotte Business INClusion

Established SBE Goal: 22.00%

Committed SBE Goal: 17.65%

Sealand Contractors Corp. failed to meet the established SBE subcontracting goal, but has earned the required Good Faith Efforts (Part C: Section 5 of the Charlotte Business INClusion Policy). Sealand Contractors Corp. has committed 17.65% (\$1,688,738) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- Streeter Trucking, Inc. (SBE, MBE) (\$1,192,597) (hauling)
- On Time Construction (SBE, MBE) (\$334,245) (masonry)
- A-1 Precision Fence Company, Inc. (SBE) (\$118,865) (fence installation)
- The LS Group, LLC (SBE, MBE) (\$38,711) (erosion control)
- R&N Construction Group, LLC (SBE, WBE) (\$4,320) (retaining wall)

Established MBE Goal: 5.00%

Committed MBE Goal: 16.36%

Sealand Contractors Corp. exceeded the established MBE subcontracting goal, and has committed 16.36% (\$1,565,553) of the total contract amount to the following certified MBE firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- Streeter Trucking, Inc. (SBE, MBE) (\$1,192,597) (hauling)
- On Time Construction (SBE, MBE) (\$334,245) (masonry)
- The LS Group, LLC (SBE, MBE) (\$38,711) (erosion control)

A further detailed write-up of Sealand Contractors Corp's Good Faith Efforts is attached.

Fiscal Note

Funding: Transportation Community Investment Plan

Attachment(s)

Map

Good Faith Efforts

Budget Ordinance

[Location Map - North Tryon Street Business Corridor Project](#)

[North Tryon Business Corridor GFE summary](#)

[EPM ord 9-11-17 NorthTryon](#)

20. Arrowood Road and Nations Ford Road Intersection Improvements

Action:

- A. Award a construction contract in the amount of \$1,752,209.14 to the lowest responsive bidder Sealand Contractors Corp. for the Arrowood Road and Nations Ford Road Intersection Improvements project, and**
- B. Adopt a budget ordinance appropriating \$1,000,000 from existing contingency reserve funds in the General Community Investment Plan.**

Staff Resource(s):

Mike Davis, Engineering and Property Management

Becky Chambers, Engineering and Property Management

Explanation

- The Arrowood Road and Nations Ford Road Intersection Improvements project will make safety improvements at the intersection of Arrowood Road and Nations Ford Road.
- The project will include grading, drainage, concrete sidewalk, curb and gutter, driveways, wheel chair ramps and concrete islands, retaining walls, milling, asphalt pavement, traffic control, and pavement markings.
- Utility relocations on this project have caused a two-year delay for bid and construction resulting in increased construction and project costs of \$1,000,000.
- The project was initially funded in the 2010 bond referendum in the amount of \$2,000,000.
- Additional project funding of \$400,000 was allocated from the Bike Program and Minor Roadway Program to extend the project limits, adding additional bike lanes and ADA ramp improvements to the project.

Action A

- On July 25, 2017, the City issued an Invitation to Bid for Arrowood Road and Nations Ford Road Intersection Improvement; four bids were received from interested service providers.
- Sealand Contractors Corp. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by 4th quarter 2018.

Action B

- The additional \$1,000,000 will be appropriated to the Arrowood Road and Nations Ford Road Intersection Improvements budget and to provide for:
 - Cost increases in construction (\$600,000)
 - Increases in project overhead costs: staff, construction administration, construction staking, construction testing, and construction inspection (\$400,000)
- The \$1,000,000 in additional funding will be allocated from existing contingency reserves within the General Community Investment Fund.
- Upon City Council approval, this additional appropriation will result in a total project budget of \$3.4 million.

Charlotte Business INclusion

Established SBE Goal: 17.00%

Committed SBE Goal: 17.00%

Sealand Contractors Corp. met the established SBE subcontracting goal, and has committed 17.00% (\$297,876) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Conmat Development Incorporated (SBE) (\$110,430) (concrete)
- Darnell Trucking (SBE, MBE) (\$87,475) (hauling)
- Cochise Trucking (SBE) (\$63,101) (hauling)

- R&N Construction Group, LLC (SBE, WBE) (\$18,810) (retaining wall)
- On Time Construction, Inc. (SBE, MBE) (\$18,060) (masonry)

Established MBE Goal: 6.00%

Committed MBE Goal: 6.02%

Sealand Contractors Corp. exceeded the established MBE subcontracting goal, and has committed 6.02% (\$105,535) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- Darnell Trucking (SBE, MBE) (\$87,475) (hauling)
- On Time Construction, Inc. (SBE, MBE) (\$18,060) (masonry)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

Budget Ordinance

[Location Map - Arrowood Road and Nations Ford Road Intersection Improvement](#)

[EPM ord 9-25-17 Arrowood](#)

21. Appointment to the Charlotte Community Capital Loan Fund

Action:

Vote on blue ballots and return to Clerk at dinner.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a term beginning October 2, 2017, and ending September 30, 2020.
 - Corey Busker, nominated by Council members Driggs, Eiselt, Ivory, Mayfield and Smith
 - Kimberly Edmonds, nominated by Council members Ajmera and Mitchell

Attachment(s)

Charlotte Community Capital Loan Fund Applicants

22. Appointments to the Domestic Violence Advisory Board

Action:

Vote on blue ballots and return to Clerk at dinner.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning September 23, 2017, and ending September 22, 2020.
- One appointment for a partial term beginning immediately and ending September 21, 2018.
 - Gabrielle Alsop, nominated by Council members Driggs, Eiselt, and Fallon
 - Rita Brown, nominated by Council members Driggs, Eiselt, and Fallon
 - Linda Carr, nominated by Council members Ajmera and Mitchell
 - Monique Cleckley, nominated by Council members Ajmera and Mitchell
 - Pamela Johnson, nominated by Council members Ivory and Mayfield
 - Tiffani Newbold, nominated by Council members Ivory and Mayfield

Attachment(s)

Domestic Violence Advisory Board Applicants

23. Appointment to the Housing Appeals Board

Action:

Vote on blue ballots and return to Clerk at dinner.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment in the At-Large category for a partial term beginning immediately and ending December 31, 2018.
 - Gregory Pizarro, Jr., nominated by Council members Ajmera, Kinsey and Mitchell
 - Cherie Readus, nominated by Council members Driggs and Smith
 - Tyjuana Wilson, nominated by Council members Ivory and Mayfield

Attachment(s)

Housing Appeals Board Applicants

[Housing Appeals Board Applicants.pdf](#)

24. Appointments to Keep Charlotte Beautiful

Action:

Vote on blue ballots and return to Clerk at dinner.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending June 30, 2018.
- Two appointments for a partial term beginning immediately and ending June 30, 2019.
 - Jeff Beaver, nominated by Council members Driggs and Smith
 - Jesse Boyd, nominated by Council members Ajmera, Fallon, and Mitchell
 - Tonya Clarkston, nominated by Council members Kinsey and Lyles
 - Sue DuChanois, nominated by Council members Ajmera, Eiselt, Lyles, and Mitchell
 - Myra Foster, nominated by Council members Ivory and Mayfield
 - Jordan McGee, nominated by Council members Ivory and Mayfield
 - Gita Patel, nominated by Council members Ajmera and Mitchell

Attachment(s)

Keep Charlotte Beautiful Applicants

25. Appointments to the Zoning Board of Adjustment

Action:

Vote on blue ballots and return to Clerk at dinner.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a partial term beginning immediately and ending January 31, 2019.
- One appointment for a partial term beginning immediately and ending June 30, 2020.
 - Terry Brown, nominated by Council members Ajmera and Mitchell
 - Scott Campagna, nominated by Council members Driggs, Eiselt, Ivory, Mayfield, and Smith
 - Thomas Rothrock, nominated by Council members Fallon and Lyles
 - Marshall Williamson, nominated by Council members Driggs, Eiselt, Lyles, and Smith

Attachment(s)

Zoning Board of Adjustment Applicants

26. Mayor and City Council Topics

The City Council members may share information and raise topics for discussion.

CONSENT

27. Charlotte-Mecklenburg Police Foundation Donation

Action:

- A. Authorize the City Manager to accept a donation from the Charlotte-Mecklenburg Police Foundation in the amount of \$374,594 for various Charlotte-Mecklenburg Police Department initiatives, and**
- B. Adopt a budget ordinance appropriating funds in the amount of \$374,594 from the Charlotte-Mecklenburg Police Foundation.**

Staff Resource(s):

Kerr Putney, Police
Vicki Foster, Police
Mike Campagna, Police

Explanation

- The Charlotte-Mecklenburg Police Foundation is a non-profit, volunteer organization dedicated to strengthening Charlotte-Mecklenburg Police Department (CMPD) services and promoting public safety in the Charlotte-Mecklenburg area.
- CMPD seeks City Council approval to accept a donation in the amount of \$374,594 for the following initiatives:

NARCAN (\$10,000)

- NARCAN is a Food and Drug Administration (FDA) approved emergency treatment for opioid overdose, which may be administered orally, intravenously, or as a nasal spray.
- The funding will be used to supply 325 CMPD personnel with NARCAN nasal spray as a treatment should they come into contact with drugs laced with fentanyl.
- Fentanyl is a synthetic opioid or painkiller that was developed in the 1960s, reportedly 100 times more powerful than morphine and between 30 to 50 times more powerful than heroin.
- Because of the high potency of fentanyl and the numerous ways it can be introduced into the body both intentionally and accidentally, law enforcement agencies are seeking ways to provide extra protection for their police officers.
- Across the country, there has been a rise in people overdosing on drugs such as heroin, methamphetamine, and cocaine laced with fentanyl.
- CMPD intends to administer NARCAN as a nasal spray when CMPD personnel are exposed to fentanyl, which seems easiest and the most effective manner to administer the drug.

Pistol Lights (\$218,404)

- CMPD plans to purchase 825 mounted flashlights for every police officer assigned to patrol on its second and third shifts.
- The benefits for the police officers are increased accuracy over traditional flashlight techniques, the ability to assess threats in low light situations, and increased accuracy with pistol use due to the proper hand placement required to manipulate the light kit properly.

Vehicle Mitigation Barriers (\$146,190)

- Meridian anti-vehicle barriers are placed on the outer perimeter of large crowds at special events, sporting facilities, crowd management, and other public safety scenarios.
- The barriers can be deployed quickly by two police officers and can be configured in different ways to protect all types of geography while not proving fatal to a driver as a result of a crash incident.
- CMPD wishes to purchase 16 anti-vehicle barriers, two trailers, and all related hardware and equipment.

Fiscal Note

Funding: Charlotte-Mecklenburg Police Foundation

Attachment(s)

Budget Ordinance

[Police PoliceFoundation Ord 9-25-17](#)**28. Tasers and Related Products Contract****Action:**

- A. Approve additional expenditures under an existing City contract with Axon Enterprise, Inc. in the estimated amount of \$2,703,462.72 to provide tasers and related products for the Charlotte Mecklenburg Police Department (CMPD),**
- B. Authorize the City Manager to approve price adjustments and further amend the contract consistent with the purpose for which the contract was awarded, and**
- C. Adopt a budget ordinance appropriating \$2,320,212.43 into the Capital Equipment Fund.**

Staff Resource(s):

Kerr Putney, Police

Stephen Willis, Police

Explanation

- On January 13, 2014, City Council approved a contract with Taser International, Inc. (now Axon Enterprise, Inc.) for the purchase of tasers and related products for an initial term of five years with two additional, one-year renewal options.
 - If all currently-available renewals are exercised, the contract will expire on January 12, 2021.
- The City now wishes to purchase tasers and products, which will increase total spending over the span of the current contract to \$2,703,462.72 to replace all (1,743) end-of-life CMPD tasers.
- The original contract of \$175,000 annually was used to purchase tasers for additional police recruits.
- The contract was competitively solicited in 2013 on behalf of the City and the Charlotte Cooperative Purchasing Alliance (CCPA).
 - CCPA is a City-run cooperative purchasing program that reduces costs by leveraging aggregate purchasing volume from numerous public agencies.
- The ongoing annual expenditures from the General Fund to repay the Municipal Debt Service Fund over five years beginning in FY 2019 are estimated to be \$540,693.

Charlotte Business INclusion

No subcontracting goal was established for this contract amendment because there are no subcontracting opportunities (Part D: Section 6 of the Charlotte Business INclusion Policy.)

Fiscal Note

Funding: General Capital Equipment Fund

Attachment(s)

Budget Ordinance

[CMPD Tasers 9-25-17](#)

29. Fire Radiological Decontamination Apparatus

Action:

- A. Approve the purchase of a fire radiological decontamination truck body from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3), and
- B. Approve a unit price contract, in an amount not to exceed \$400,000, with VT Hackney Inc. for the purchase of a fire radiological decontamination truck body under the National Joint Powers Alliance contract 090512-VTH.

Staff Resource(s):

Pete Key, Fire

Kevin Gordon, Fire

Cooperative Purchasing Exemption

NC S.L. 2001-328, effective January 1, 2002, authorizes competitive group purchasing.

Explanation

- Approve the purchase of a radiological decontamination truck for radiological or nuclear incidents, both locally and regionally, to be used by Charlotte Fire.
- The new radiological decontamination truck will provide support and equipment for emergency worker decontamination stations in six different locations, carry additional equipment such as meters, decontamination waste disposal containers, portal monitors, plastic sheeting, and support other hazardous materials incidents as needed.
- Fire will utilize a current cab and chassis that is being taken out of service, and will have the current body removed by the vendor and replaced with a new body, creating an estimated savings of \$280,000.
- The current truck body being removed from the cab chassis has been determined to have a fair market value of no more than \$1,000. The current body will be disposed of through private sale to the vendor; doing so is the most cost effective means because it allows the City to avoid added costs to dispose of and/or haul the chassis to auction.
- VT Hackney Inc. has a contract, awarded through the National Joint Powers Alliance, which allows the City to receive goods at the best possible price.

Charlotte Business INClusion

These are cooperative purchasing contracts and are exempt (Part A: Appendix 27 of the Charlotte Business INClusion Policy).

Fiscal Note

Funding: General Capital Equipment Replacement Fund

30. 2016 Assistance to Firefighters Grant Acceptance

Action:

- A. Authorize the City Manager to accept a grant in the amount of \$771,273.00 from the U.S. Department of Homeland Security, Federal Emergency Management Agency, and
- B. Adopt a budget ordinance appropriating \$771,273.00 in Department of Homeland Security Grant funds.

Staff Resource(s):

Pete Key, Fire
Kevin Gordon, Fire

Explanation

- The Assistance to Firefighters Grant is a competitive federal grant program that the Charlotte Fire Department (CFD) applies for annually.
- CFD will use the grant funds to replace thermal imaging cameras and purchase bail-out kits for each of our 1,050 firefighters.
- Our current thermal imaging cameras are over 15 years old and utilize out of date technology.
- The bail-out kits, which are used to get firefighters out of harm's way when stairs and ladders are unavailable, will be a new purchase for Charlotte Fire as this equipment has previously not been utilized.
- The total amount of the grant award is \$848,400. The City is required to provide a local match of \$77,127, which is funded from CFD's operating budget.

Fiscal Note

Funding: Assistance to Firefighters Grant and Charlotte Fire Department Operating Budget

Attachment(s)

Budget Ordinance

[Fire Assistance Budget Ordinance 9.15.17](#)

31. Lakeview-Reames Intersection Improvements

Action:

Approve a contract in the amount of \$655,000 with Kimley-Horn and Associates, Inc. for design services for the Lakeview-Reames Intersection Project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Fran West, Engineering and Property Management

Explanation

- This contract will provide design services for the Lakeview-Reames Intersection Improvement Project identified and prioritized during the Sunset/Beatties Ford Road Comprehensive Neighborhood Improvement Program.
- This project will include a roundabout at the intersection of Lakeview Road and Reames Road and a sidewalk along Lakeview Road from Reames Road to Beatties Ford Road.
- Improvements will include, but are not limited to:
 - Roundabout,
 - Sidewalks,
 - Bicycle lanes,
 - Storm drainage,
 - Utility relocations,
 - Right-of-way/easements, and
 - Traffic control.
- On February 17, 2014, the City issued a Request for Qualifications (RFQ); 20 proposals were received from interested professional services providers.
- Kimley-Horn and Associates, Inc. is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.
- On May 23, 2016, the City Council approved a contract in the amount of \$302,113 to Kimley-Horn and Associates, Inc. for planning services for the Lakeview-Reames Intersection Improvement Project.
- Kimley-Horn and Associates, Inc. has completed the planning phase which included traffic analysis, public meetings and outreach, conceptual plans, field surveys, and mapping.

Charlotte Business INclusion

The City negotiates participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business Inclusion Policy). Kimley-Horn and Associates, Inc. has committed 13.37 percent (\$87,585) of the total contract price to the following firms:

- Boyle Consulting Engineers, PLLC (SBE) (\$1,150) (geotechnical services)
- Hinde Engineering, Inc. (SBE) (\$86,435) (utility coordination)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Lakeview-Reames Intersection Improvement Project](#)

32. Private Developer Funds for Traffic Signal Improvements

Action:

Adopt a budget ordinance appropriating \$12,500 in private developer funds for traffic signal improvements and related work.

Staff Resource(s):

Liz Babson, Transportation

Debbie Smith, Transportation

Explanation

- Private developer funding is for traffic signals, upgrades, and related work associated with developer projects.
- CK Cato Industrial #1 LLC is fully funding traffic signal installations and improvements to mitigate traffic impacts at the intersection of Wilkinson Boulevard and Old Dowd Road.
- The above signal meets the same criteria as other traffic signals approved by the City.
- Payments made by the developers are in response to estimates of work prepared by the Charlotte Department of Transportation (CDOT) and supplied to the developers.
- Any funding contributed by developers for signal projects that is unused by the City will be refunded after project completion.
- CDOT will install and operate this signal as part of the existing signal system in the area.

Fiscal Note

Funding: Private Developer Contributions

Attachment(s)

Map

Budget Ordinance

[Traffic Signal Improvements 15-6197](#)

[CDOT ord 9-25-17 Developer Contributions](#)

33. Cross Charlotte Trail Planning Services

Action:

Approve a contract in the amount of \$211,060 with Kimley-Horn and Associates, Inc. for planning services for the Orr Road to Rocky River Road segment of the Cross Charlotte Trail Project.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Joe Frey, Engineering and Property Management
Sharon Buchanan, Engineering and Property Management

Explanation

- The Cross Charlotte Trail (XCLT) will consist of a combination of new and existing greenways connected by new urban trails to form a continuous pathway extending approximately 26 miles across the City of Charlotte.
- This contract provides planning services for a segment as identified in the XCLT Master Plan from Orr Road to Rocky River Road (approximately 2.5 miles). The planning services include, but are not limited to:
 - Public involvement,
 - Design parameters,
 - Base mapping,
 - Natural resources review and geotechnical investigations, and
 - Alternatives analysis.
- On October 25, 2016, the City issued a Request for Qualifications (RFQ); eight proposals were received from interested professional service providers.
- Kimley-Horn and Associates, Inc. is the best qualified firm to meet the City's needs on the basis of demonstrated competence and qualification of professional services in response to the RFQ requirements.

Charlotte Business INclusion

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Kimley-Horn and Associates, Inc. has committed 10.19% (\$21,500) of the total contract amount to the following firms:

- CMW Design Strategies, PLLC (SBE) (\$1,500) (landscape architecture)
- Hinde Engineering, Inc. (SBE) (\$8,000) (utility coordination)
- James Mauney & Associates, PA (SBE) (\$8,000) (survey and mapping)
- Boyle Consulting Engineers, PLLC (SBE) (\$4,000) (geotechnical investigations)

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Cross Charlotte Trail Design Services](#)

34. Johnston Oehler Road Farm to Market Landscaping

Action:

Award a contract in the amount of \$208,380.03 to the lowest responsive bidder Roundtree Companies, LLC for the Johnston Oehler Road Farm-to-Market Landscaping project.

Staff Resource(s):

Mike Davis, Engineering and Property Management

Leslie Bing, Engineering and Property Management

Explanation

- This project will include the installation of large and small trees, shrubs and ground cover plants within the medians and planting strips along Johnston Oehler Road from west of Prosperity Ridge Road to Mallard Creek Road.
- On July 5, 2017, the City issued an Invitation to Bid; three bids were received from interested service providers.
- Roundtree Companies, LLC was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete by first quarter 2018.

Charlotte Business INClusion

No subcontracting goals were established because there are no opportunities (Part C: Section 2.1(a) of the Charlotte Business INClusion Policy). Roundtree Companies, LLC is a City SBE.

Fiscal Note

Funding: General Community Investment Plan

Attachment(s)

Map

[Location Map - Johnston Oehler Road Farm to Market \(Landscaping\)](#)

35. Storm Water Repair and Improvements Fiscal Year 2018-A

Action:

- A. Award a contract in the amount of \$2,528,321.86 to the lowest responsive bidder United of Carolinas, Inc. for the Storm Water Repair and Improvement Fiscal Year 2018-A, and**
- B. Authorize the City Manager to approve up to two renewals and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Susan Tolan, Engineering and Property Management

Explanation

- This contract is part of an ongoing program to provide repairs and/or improvements to existing storm drainage systems and construction of new storm drainage systems.
 - Each request is investigated and prioritized based on the severity of potential public/private property flooding and/or property damage.
 - The necessary repairs for each project are designed and a work order prepared including an estimated list of quantities.
- Approximately 40-50 projects may be constructed from this contract if the City exercises the two renewals for a total contract term that may not exceed three years. The number may vary depending on the nature and extent of the repairs actually constructed.
- On July 21, 2017, the City issued an Invitation to Bid; four bids were received from interested service providers.
- United of Carolinas, Inc. was selected as the lowest responsive, responsible bidder.

Charlotte Business INclusion

Established SBE Goal: 18.00%

Committed SBE Goal: 18.00%

United of Carolinas, Inc. has identified SBEs on its project team, and for each work order issued, committed 18.00% of the total contract amount to the following certified firms:

- Armadillo Construction, LLC (SBE) (pipe)
- Cesar A Leon, L.L.C. (SBE, MBE) (hauling)
- R.R.C. Concrete, Inc (SBE, MBE) (concrete)
- Streeter Trucking Company, Inc. (SBE, MBE) (hauling)

Established MBE Goal: 6.00%

Committed MBE Goal: 6.00%

United of Carolinas, Inc. has identified MBEs on its project team, and for each work order issued, committed 6.00% of the total contract amount to the following certified firms:

- Cesar A Leon, L.L.C. (SBE, MBE) (hauling)
- R.R.C. Concrete, Inc (SBE, MBE) (concrete)
- Streeter Trucking Company, Inc. (SBE, MBE) (hauling)

Fiscal Note

Funding: Storm Water Community Investment Plan

36. Charlotte Water Rate Model Financial Consulting Services

Action:

- A. Approve a contract with Raftelis Financial Consultants, Inc. for rate model financial consulting services for an initial term of three years, and**
- B. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Barry Gullet, Charlotte Water
Shawn Coffman, Charlotte Water
Chad Howell, Charlotte Water

Explanation:

- Council approved the current methodology used to calculate water and sewer rates and fees in 2011.
- Annually, rate consultants are used to project water consumption and apply the approved methodology.
- The rate consultants also assist in conducting sensitivity analysis to assure a high probability that the projected rates and fees will produce the projected amount of revenue needed.
- On April 3, 2017, the City issued a Request for Proposals; two responses were received. Raftelis Financial Consultants, Inc. was found to be the most qualified firm.
- The estimated annual expenditures under this contract are approximately \$128,000.

Charlotte Business INclusion

No subcontracting goals were established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Operating Budget

37. Charlotte Water Metering Equipment

Action:

- A. Approve the purchase of water meters, registers, transmitters and replacement meter parts, as authorized by the sole source exemption of G.S. 143-129 (e)(6),**
- B. Approve unit price contracts with Badger Meter, Inc., Mueller Systems, LLC, HD Supply Waterworks, LTD, and Itron, Inc. for the purchase of water meters, registers, transmitters and replacement meter parts for the initial term of two years,**
- C. Approve a contract with Itron, Inc. for maintenance for as long as the City uses the equipment, and**
- D. Authorize the City Manager to renew the contracts with Badger Meter, Inc., Mueller Systems, LLC, HD Supply Waterworks, LTD, and Itron, Inc. for up to three one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Barry Gullet, Charlotte Water

David Czerr, Charlotte Water

Sole Source Exemption

- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because there is only one supply source. Badger Meter, Inc., Mueller Systems, LLC, and HD Supply Waterworks, LTD are the only authorized distributors for each brand of meter. Itron, Inc. is the only manufacturer for its brand of meter reading equipment.
- The City Council must approve purchases made under the sole source exception.

Explanation

- The four contracts will provide parts for routine replacement of worn, broken, and malfunctioning water meter parts, registers, transmitters, and new installations on residential, commercial, and industrial meters.
- The replacement meter parts, registers, and transmitters must be compatible with the existing meters.
- Total annual expenditures for equipment are estimated to be \$1,400,000; total estimated annual maintenance costs are \$82,000.
- All radio equipment and related components require compatibility with the City and County systems.
- Annual price adjustments will be negotiated and mutually agreed upon.

Charlotte Business INclusion

This is a sole source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Community Investment Plan and Operating Budget

38. Franklin Water Treatment Plant Rehabilitation

Action:

Award a contract in the amount of \$651,923 to the lowest responsive bidder, The Harper Corporation-General Contractors, for the Franklin Water Treatment Plant Rehabilitation project.

Staff Resource(s):

Barry Gullet, Charlotte Water

Ron Hargrove, Charlotte Water

Explanation

- The City owns and maintains three water treatment plants in Mecklenburg County. The Franklin Water Treatment Plant is located along the Brookshire Freeway in Charlotte.
- This contract provides for the rehabilitation of metal components, pumps, motors, and drive mechanisms for the clarifiers and thickeners.
- On May 18, 2017 the City issued an Invitation to Bid; two bids were received.
- The project was re-advertised on July 27, 2017; two bids were received.
- The Harper Corporation-General Contractors was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be completed by the second quarter of 2018.

Charlotte Business INclusion

No subcontracting goals were established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[Franklin WTP Map](#)

39. UNC Charlotte Reclaimed Water Project Partnership Agreement and Design Services Contract

Action:

- A. Authorize the City Manager to negotiate and execute a contract between the City of Charlotte and University of North Carolina at Charlotte Related to Design and Construction of a Reclaimed Water Pipeline, and**
- B. Approve a contract in the amount of \$718,770 with Hazen & Sawyer for the design, permitting, and bidding of the University of North Carolina at Charlotte reclaimed water line.**

Staff Resource(s):

Barry Gullet, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- University of North Carolina at Charlotte (UNCC) plans to purchase reclaimed water from the Charlotte Water Mallard Creek Wastewater Treatment Plant (WWTP) near the UNCC campus.
- UNCC has a goal of conserving potable water and Charlotte Water has a goal of protecting the environment and effectively managing water resources.
- This agreement will provide Charlotte Water a benefit by reducing the amount of potable water being transferred to the Rocky River basin which is an inter basin transfer (IBT). The estimated potable water demand reduction at the UNCC campus is about 640,000 gallons per day.
- Per this agreement, UNCC will receive up to 53 million gallons per year of reclaimed water from Charlotte Water. This will provide a cost savings to UNCC as a reduction of their monthly potable water bill.
- UNCC has approval from their governing board to reimburse Charlotte Water for up to \$5,000,000 for the design and construction of the extension of the reclaimed water system from the Mallard Creek WWTP to a metering point on the UNCC campus.
 - Preliminary Engineering Study completed in November 2015 estimated the construction cost of this reclaimed water line to be \$4,580,000. However, total project cost will be refined based on final design.
 - If total costs are less than \$5 million, then UNCC is prepared to cover the entire cost of the project.
 - If total cost is more than \$5 million, Charlotte Water will consider paying the difference based on environmental benefits and IBT management between the Catawba and Yadkin river basins.
 - Pursuant to the agreement, if UNCC should terminate the agreement prior to the project being constructed, UNCC is required to pay all the project costs up to the date of the termination.
- Once the reclaimed water line is in operation, Charlotte Water and UNCC will negotiate an operation agreement, which is anticipated to be presented for Council action in the winter of 2020.

Background

- The State of North Carolina adopted a Water Reuse Policy under G.S. 143.355.5 that encourages the reuse of treated wastewater effluent to replace potable water in non-potable applications to supplement existing surface and ground water supplies.
- On December 16, 2013, the City issued a Request for Qualifications; six responses were received. Hazen & Sawyer was found to be the most qualified firm.

Charlotte Business INclusion

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Hazen and Sawyer committed 25.42% (\$182,700) of the total contract amount to the following certified firms:

- Survey & Mapping Control, Inc. (SBE) (\$102,040) (field surveying)
- Hinde Engineering, Inc. (SBE) (\$29,760) (traffic control & private utility coordination)
- Avioimage Mapping Services (SBE) (\$25,000) (aerial mapping)
- Sweetwater Utility Exploration LLC (SBE) (\$20,900) (subsurface utility locates)
- Mid Carolina Reprographics (SBE) (\$5,000) (reproduction, copying)

Fiscal Note

Funding: Charlotte Water Community Investment Plan

Attachment(s)

Map

[UNCC Reuse Line Map](#)

40. Charlotte Water Digital Message Board System

Action:

- A. Approve a contract with TechVentures, LLC, to provide and implement a digital message board system for as long as the City uses the system,
- B. Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was awarded,
- C. Authorize the City Manager to purchase maintenance and support for as long as the City uses the system, and
- D. Authorize the City Manager to purchase such additional software licenses, services, and hardware as needed from time to time to optimize the City's use of the system, and to approve other amendments consistent with the purpose for which the contract was approved, including price adjustments.

Staff Resource(s):

Barry Gullet, Charlotte Water
Shawn Coffman, Charlotte Water

Explanation

- This contract will augment existing communication methods for Charlotte Water employees across 16 locations across Mecklenburg County.
- The contract includes installation and configuration of the application; 50 playback devices; system and database configuration; on-site training; web-based training; and five years of software and playback device maintenance.
- On December 13, 2016, the City issued a Request for Proposals (RFP); four proposals were received from interested service providers.
- The selection committee determined that TechVentures, LLC best meets the City's needs in terms of qualifications, experience, cost, and responsiveness to RFP requirements.
- Estimated expenditures with TechVentures, LLC for licensing and implementing the system are \$177,669. Estimated expenditures for annual maintenance and support are \$9,825; subject to adjustments as authorized by the contract.
- This system may be implemented at other City Departments.
- Additional hardware and services are required to complete this project using existing contracts. Overall costs for the project are estimated at \$355,000.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1 (a) of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Community Investment Plan

41. Airport Bus Contract Extension

Action:

Authorize the City Manager to renew the contract for two additional, one-year terms and to amend the contract consistent with the purpose for which the contract was approved.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- On May 12, 2014, City Council approved a three-year contract with Carolina Thomas, LLC to provide Cutaway and Low Floor Shuttle Buses for Airport shuttle services.
 - The contract was written with two, one-year term extensions, which was not included as part of City Council's approval on May 12, 2014.
- At this time, following a satisfactory experience with Carolina Thomas, LLC; approval is requested authorizing the City Manager to renew the contract for two additional, one-year terms.
- Annual contract expenditures are estimated to be \$2,200,000.

Fiscal Note

Funding: Aviation Community Investment Plan

42. Airport Concourse Seating Replacement

Action:

- A. Approve the purchase of Terminal Concourse Seating , as authorized by the sole source exemption of G.S. 143-129 (e)(6),**
- B. Approve a unit price contract with Arconas for the purchase of seating for the term of three years, and**
- C. Authorize the City Manager to renew the contract for up to two additional, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Sole Source Exemption

- G.S. 143-129 (e) (6) provides that formal bidding requirements do not apply when:
 - Performance or price competition are not available;
 - A needed product is available from only one source or supply; or
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract because of the need for standardization or compatibility.
- The City Council must approve purchases made under the sole source exception.

Explanation

- The Aviation Department will replace seating throughout the Terminal as part of the concourse renovation projects over the next three years. The seats will have amenities for travelers, including in-seat charging stations.
- This contract will purchase 6,600 new seats to replace the existing seats.
- The Arconas seat was chosen in order to be consistent with American Airline's design standards.
- The unit price contract includes the assembly and installation of the seating.
- Estimated contract expenditures are \$7,500,000.

Charlotte Business INclusion

This is a sole source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Aviation Community Investment Plan

43. Airport Terminal Traffic Control Services

Action:

- A. **Approve the purchase of Traffic Control Services from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
- B. **Approve a unit price contract extension with G4S for the purchase of Traffic Control Services for a term of up to 90 days under the General Services Administration, Federal Supply Schedule 084, Special Item No. 246-54: Guard Services, Contract #:GS-07F-0382K,**
- C. **Approve a contract with Allied Universal Security Services for Traffic Control Services for an initial term of three years, and**
- D. **Authorize the City Manager to renew the Allied Universal Security contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Cooperative Purchasing Exemption

NC S.L. 2001-328, effective January 1, 2002, authorizes competitive group purchasing.

Explanation

Action A

- On February 13, 2017, City Council approved a contract with G4S Security for Traffic Control Services for the term of 181 days.
 - G4S has a contract awarded through General Services Administration that offers competitively obtained contracts to public agencies nationwide.
- The Airport is requesting up to a 90 day extension with G4S to allow for transition to the new service provider.
- Expenditures for this extension are estimated at \$200,000.

Action B

- On April 25, 2017, the City issued a Request for Proposal (RFP) for Airport Terminal Traffic Control Services. In response to the RFP, the City received nine proposals from interested service providers.
- Allied Universal Security Services best meets the City's needs in terms of qualifications, experience, cost, staffing and operations plans, and responsiveness to RFP requirements.
- Upon satisfactory performance, the contract allows up to two additional, one-year terms at prices to be negotiated based on market conditions.
- Annual expenditures are estimated to be \$1,436,000.

Charlotte Business INclusion

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy).

Allied Universal Security has committed 4.98% (\$214,392) of the total contract amount to the following certified firm:

- Southeastern Public Safety Group, Inc. (SBE) (\$214,392) (security guard services)

Fiscal Note

Funding: Aviation Operating Budget

44. Airport Landside Operation Plan

Action:

Approve a contract not to exceed \$335,979 with Ricondo & Associates, Inc. to provide a comprehensive 20-year Airport Landside Operation Plan.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- On June 22, 2016, the City issued a Request for Qualifications for the Airport Parking Study; five firms submitted a proposal.
- The City selected Innovat International Inc. (formerly DAA USA International, Inc.) and Ricondo and Associates based on experience, qualifications, and project proposal.
 - On August 28, 2016, City Council approved a contract with Innovat International Inc. to complete the Airport Strategic Parking Business Plan.
- Ricondo and Associates will complete a Landside Operation Plan, which will provide planning, environmental, and operational solutions for the entire Airport landside operation. Landside operations include parking facilities, offsite parking vendors, commercial ground transportation providers, airport roadway traffic, access roads, etc.
- On January 30, 2017, the Airport entered into contract with Ricondo & Associates to provide initial data and information collection analysis. The Airport requested this analysis be performed separate from the full study in an effort to determine the cost and impact that the master plan would have for the Airport.
- This contract will provide the full scope of the landside operation plan including:
 - Analysis of existing and future parking facility demand, parking product locations and usage, size, and capacity with recommendations that take into consideration the Airport Master Plan and Airport Area Strategic Development Plan,
 - Future planning for commercial ground transportation requirements (i.e. transportation network companies, taxicabs, courtesy shuttles, etc.),
 - Operational analysis to include busing operations interface, challenges specific to each parking facility, and use and location of credit card payment machines and manual payment options,
 - Roadway traffic forecasts and analyses of traffic demands on existing roadways and intersections, and
 - Employee parking allocation, location, utilization.
- Contract expenditures are estimated to not exceed \$335,979.

Charlotte Business INclusion

The City negotiates subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy).

Ricondo & Associates, Inc. has committed 18.91% (\$63,543) of the total contract amount to the following certified firm:

- Zapata-LJB, PLLC (MBE) (\$63,543) (parking and data collection services)

Fiscal Note

Funding: Aviation Community Investment Plan

45. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$382.24.

Staff Resource(s):

Randy Harrington, Management and Financial Services
Scott Greer, Management and Financial Services

Explanation

- Mecklenburg County notified and provided the City the list of Property Tax refunds due to clerical or assessment error.

Attachment(s)

Taxpayers and Refunds Requested
Resolution Property Tax Refunds

[List of Taxpayers and Refunds Requested](#)

[Resolution](#)

46. Meeting Minutes

Action:

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of:

- **August 28, 2017, Business Meeting**

Staff Resource(s):

Stephanie Kelly, City Clerk's Office
City Council Organizational Meeting and Kelly

PROPERTY TRANSACTIONS

47. Transfer of City-owned Property at 829 Belmont Avenue

Action:

- A. Approve the transfer of 0.17 acre of vacant land at 829 Belmont Avenue (parcel identification number 081-099-05) to Mecklenburg County, and
- B. Authorize the City Manager to negotiate and execute all documents necessary to complete the transfer.

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management

Explanation

- A transfer of 829 Belmont Avenue to Mecklenburg County for the Little Sugar Creek Greenway is requested for approval.
 - The transfer will include a deed restriction requiring the property be used only for open area and/or stream improvement and enhancement.
- The property is a vacant parcel located in the Belmont neighborhood and was acquired in 2005 by foreclosure for nonpayment of loans issued by the City. The residence was subsequently demolished.
- It has been determined the property is not suitable for affordable housing due to topography, and the presence of a surface water improvement and management buffer, post construction buffer and floodplain covering the majority of the property.
- A value estimate of the property established a fair market value of approximately \$21,000 due to title issues and other encumbrances including topography, buffer and floodplain.
- The Planning Committee of the Charlotte Mecklenburg Planning Commission approved the Planning staff's recommendation the property be used for the Little Sugar Creek Greenway.
- The transfer is consistent with *City Council's City-Owned Real Estate and Facilities Policy* because it supports the development of the Mecklenburg County greenway in the Belmont Neighborhood.

Attachment(s)

Map

[Map of 829 Belmont Avenue](#)

48. Sale of City-owned Property on South Mint Street

Action:

- A. Adopt a resolution approving the private sale of two City-owned parcels in the 800 block of South Mint Street (parcel identification numbers 073-042-17 and 073-042-18) to GSLH Charlotte Realty Holdings, LLC, for \$610,000,**
- B. Authorize the City Manager to negotiate and execute all documents necessary to complete the sale of the property, and**
- C. Adopt a budget ordinance appropriating the sale proceeds for Belk Greenway Connector reimbursement.**

Staff Resource(s):

Mike Davis, Engineering and Property Management
Tony Korolos, Engineering and Property Management

Explanation

- GSLH Charlotte Realty Holdings, LLC (GSLH) has proposed to purchase two vacant City-owned parcels (parcel identification numbers 073-042-17 and 073-042-18) comprising 5,277 square feet. The parcels will be incorporated into GSLH's adjacent mixed-use redevelopment of the block bounded by South Mint Street, West Stonewall Street, South Tryon Street and I-277.
- The two City-owned parcels were appraised together in May 2017, with a revision performed in July 2017, for \$610,000.
- The City has planned the Belk Greenway Connector to connect the Cross Charlotte Trail through Uptown. The proposed alignment of the Connector is immediately adjacent to the GSLH redevelopment and the two City-owned parcels.
- As part of the purchase offer, GSLH will donate a trail easement for the Belk Greenway Connector from South Mint Street to South Church Street. During site construction, GSLH will perform trail preparation in the easement area, including construction of a retaining wall and completion of rough grading. The City will reimburse GSLH according to City policy for the work performed related to the trail. Proceeds from the sale of the two properties will be encumbered to help finance the reimbursement, which will not exceed \$610,000.
- The offer from GSLH includes the following terms:
 - Price of \$610,000,
 - A revision to Approved Plan that includes a trail easement must be approved by the City prior to closing, and
 - Closing shall occur no later than October 1, 2017. A separate GSLH contract closing is contingent upon the successful closing of this transaction.
- As part of the mandatory referral process, the Planning Commission reviewed the transaction on July 18, 2017, and provided no additional comments.
- This transaction is consistent with the *City-Owned Real Estate and Facilities Policy*, adopted by City Council in June 2017.

Fiscal Note

Funding: Private Developer Funds

Attachment(s)

Map
Budget Ordinance
Resolution

[Location Map - Sale of City-owned Property on South Mint Street](#)

[EPM ord 9-11-17 GSLH](#)

[Resolution](#)

Adjournment

REFERENCES

49. Reference - Charlotte Business INClusion Policy

The following excerpts from the City's Charlotte Business INClusion Policy are intended to provide further explanation for those agenda items which reference the Charlotte Business INClusion Policy in the business meeting agenda.

Part A: Administration & Enforcement

Appendix Section 20: Contract: For the purposes of establishing an MWSBE subcontracting goal on a Contract, the following are examples of contract types:

- Any agreement through which the City procures services from a Business Enterprise, other than Exempt Contracts.
- Contracts include agreements and purchase orders for (a) construction, re-construction, alteration and remodeling; (b) architectural work, engineering, surveying, testing, construction management and other professional services related to construction; and (c) services of any nature (including but not limited to general consulting and technology-related services) , and (d) apparatus, supplies, goods or equipment.
- The term "Contract" shall also include Exempt Contracts for which an SBE, MBE or WBE Goal has been set.
- Financial Partner Agreements, Development Agreements, and Construction Manager-at-Risk Agreements shall also be deemed "Contracts," but shall be subject to the provisions referenced in the respective Parts of the Charlotte Business INClusion Program Policy.

Appendix Section 27: Exempt Contracts: Contracts that fall within one or more of the following categories shall be "Exempt Contracts" from all aspects of the Charlotte Business INClusion Policy, unless the Department responsible for procuring the Contract decides otherwise:

No Competitive Process Contracts: Contracts or purchase orders that are entered into without a competitive process, or entered into based on a competitive process administered by an entity other than the City shall be Exempt Contracts, including but not limited to contracts that are entered into by sole sourcing, piggybacking, buying off the North Carolina State contract, buying from a competitive bidding group purchasing program as allowed under G.S. 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

Managed Competition Contracts: Managed competition contracts pursuant to which a City Department or division competes with Business Enterprises to perform a City function shall be Exempt Contracts.

Real Estate Leasing and Acquisition Contracts: Contracts for the acquisition or lease of real estate shall be Exempt Contracts.

Federal Contracts Subject to DBE Requirements: Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise Program as set forth in 49 CFR Part 26 or any successor legislation shall be Exempt Contracts.

State Contracts Subject to MWBE Requirements: Contracts for which a minority and women business participation goal is set pursuant to G.S. 143-128.2(a) due to a building project receiving funding from the State of North Carolina shall be Exempt Contracts.

Financial Partner Agreements with DBE or MWBE Requirements: Contracts that are subject to a disadvantaged business development program or minority and women business development program maintained by a Financial Partner shall be Exempt Contracts.

Interlocal Agreements: Contracts with other units of federal, state, or local government shall be Exempt Contracts.

Contracts for Legal Services: Contracts for legal services shall be Exempt Contracts, unless otherwise indicated by the City Attorney.

Contracts with Waivers: Contracts for which the SBO Program Manager or the City Manager waives the SBO Program requirements shall be Exempt Contracts (such as when there are no SBE subcontracting

opportunities on a Contract).

Special Exemptions: Contracts where the Department and the Program Manager agree that the Department had no discretion to hire an SBE (e.g., emergency contracts or contracts for banking or insurance services) shall be Exempt Contracts.

Appendix Section 35: Informal Contracts: Contracts and purchase orders through which the City procures services from a Business Enterprise that fall within one of the following two categories:

Construction Contracts Less Than or Equal To \$500,000:

Service and Commodities Contracts That Are Less Than or Equal To \$100,000:

Part B: Formal Construction Bidding

Part B: Section 2.1: When the City Solicitation Documents for a Construction Contract contain an MWSBE Goal, each Bidder must either: (a) meet the MWSBE Goal, or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements. Failure to do so constitutes grounds for rejection of the Bid. The City Solicitation Documents will contain certain forms that Bidders must complete to document having met these requirements.

Part B: Section 2.3: No Goals When There Are No Subcontracting Opportunities.

The City shall not establish Subcontracting Goals for Contracts where: a) there are no subcontracting opportunities identified for the Contract; or b) there are no SBEs, MBEs or WBEs (as applicable) to perform scopes of work or provide products or services that the City regards as realistic opportunities for subcontracting.

Part C: Services Procurement

Part C: Section 2.1: When the City Solicitation Documents for a Service Contract do not contain an SBE Goal, each Proposer must negotiate in good faith with each MWSBE that responds to the Proposer's solicitations and each MWSBE that contacts the Proposer on its own accord. Additionally, the City may negotiate a Committed SBE Goal with the successful Proposer after the Proposal Opening.

Part C: Section 2.1: No Goal When There Are No MWSBE Subcontracting Opportunities. The City shall not establish an MWSBE Goal for Service Contracts where there are no MWSBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

Part D: Post Contract Award Requirements

Part D: Section 6: New Subcontractor Opportunities/Additions to Scope, Contract Amendments

If a Contractor elects to subcontract any portion of a Contract that the Contractor did not previously identify to the City as a subcontracting opportunity, or if the scope of work on a Contract increases for any reason in a manner that creates a new MWSBE subcontracting opportunity, the City shall either:

- Notify the Contractor that there will be no Supplemental MWSBE Goal for the new work; or
- Establish and notify the Contractor of a Supplemental MWSBE Goal for the new work.

50. Reference - Property Transaction Process

Property Transaction Process Following City Council Approval for Condemnation

The following overview is intended to provide further explanation for the process of property transactions that are approved by City Council for condemnation.

Approximately six weeks of preparatory work is required before the condemnation lawsuit is filed. During this time, City staff continues to negotiate with the property owner in an effort to reach a mutual settlement.

- If a settlement is reached, the condemnation process is stopped, and the property transaction proceeds to a real estate closing.
- If a settlement cannot be reached, the condemnation lawsuit is filed. Even after filing, negotiations continue between the property owner and the City's legal representative. Filing of the condemnation documents allows:
 - The City to gain access and title to the subject property so the capital project can proceed on schedule.
 - The City to deposit the appraised value of the property in an escrow account with the Clerk of Court. These funds may be withdrawn by the property owner immediately upon filing, and at any time thereafter, with the understanding that additional funds transfer may be required at the time of final settlement or at the conclusion of litigation.
- If a condemnation lawsuit is filed, the final trial may not occur for 18 to 24 months; however, a vast majority of the cases settle prior to final trial. The City's condemnation attorney remains actively engaged with the property owner to continue negotiations throughout litigation.
 - North Carolina law requires that all condemnation cases go through formal non-binding mediation, at which an independent certified mediator attempts to facilitate a successful settlement. For the minority of cases that do not settle, the property owner has the right to a trial by judge or jury in order to determine the amount of compensation the property owner will receive.

51. Reference - Property Acquisitions and Condemnations

- The City has negotiated in good faith to acquire the properties set forth below
- For acquisitions, the property owner and staff have agreed on a price based on appraisals and/or estimates.
- In the case of condemnations, the value was established by an independent, certified appraisal followed by a third-party appraisal review.
- Real Estate staff diligently attempts to contact all property owners by:
 - Sending introductory letters via regular and certified mail,
 - Making several site visits,
 - Leaving door hangers and business cards,
 - Seeking information from neighbors,
 - Searching the internet,
 - Obtaining title abstracts, and
 - Leave voice messages.
- For most condemnation cases, City staff and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to ensure a clear title to the property.
- If the City Council approves the resolutions, the City Attorney's office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney's Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to a trial before a judge or jury to determine "just compensation."
- Full text of each resolution is on file with the City Clerk's Office.
- The definition of easement is a right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, it is either for the benefit of land, such as right to cross A to get to B, or "in gross," such as public utility easement.
- The definition of fee simple is an estate under which the owner is entitled to unrestricted powers to dispose of the property, and which can be left by will or inherited, commonly, synonym for ownership.